

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO. 12-217

v.

* SECTION: R

ALBERTO JOSE ZAPATA MOREL

*

a/k/a Zapata

a/k/a Alberto Zapata

*

a/k/a Miguel Lopez

a/k/a Miguel Lopez-Martinez

*

a/k/a Martin de Jesus Herrera-Mareyna

a/k/a Amado Sergio Herrera-Mareyna

*

a/k/a Melvin Romelio Alcantara-Arita

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FACTUAL BASIS

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **ALBERTO JOSE ZAPATA MOREL** (hereinafter “**MOREL**”) has agreed to plead guilty as charged to Count Four of the four-count indictment charging him with illegal reentry of a removed alien in violation of Title 8, United States Code, Section 1326(a).

An Immigration and Customs Enforcement agent (hereinafter the “agent”) would testify that

on or about June 5, 2012, Immigration and Customs Enforcement (hereinafter “ICE”) encountered **MOREL** during the execution of a search warrant at a residence in Jefferson Parish, within the Eastern District of Louisiana. Upon determining the defendant was illegally in the United States, the defendant was detained and arrested by an ICE agent.

The ICE agent would testify that he administratively processed the defendant and conducted record checks through various U.S. Department of Homeland Security databases, which revealed that the defendant was an alien who was illegally present in the United States.

Documentation from the records of ICE, contained in the defendant’s Alien file, including a Warrant of Removal/Deportation, complete with the defendant’s fingerprints, photographs and signature, would demonstrate that the defendant, **MOREL**, was removed from the United States to Mexico on or about December 31, 2008, at or near Laredo, Texas. A qualified ICE Fingerprint Specialist would testify that the fingerprints of the individual documented in the Alien file containing the Warrant of Removal/Deportation and the fingerprints of the defendant are a match. Documentation from the Alien file would further show that the defendant is an alien, and not a citizen or national of the United States.

Testimony of an official from U.S. Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **MOREL**, did not receive consent from the U.S. Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission or receive permission to reenter the United States since the time of the defendant’s previous removal.

Further documents, court records, and other admissible evidence would show that on or

about about July 8, 2003, in the United States District Court for the Western District of Texas, the defendant, **MOREL**, was convicted of possessing a false identification document.

ROBERT WEIR
Special Assistant United States Attorney

Date

ALBERTO JOSE ZAPATA MOREL
Defendant

Date

EUGENE REDMANN
Attorney for Defendant

Date